

**REMARKS**

**New Claim 14**

New Claim 14 has been added. Support for new Claim 14 can be found throughout the specification. For example, page 3, lines 21-25, describes a method of inhibiting the proliferation of a eukaryotic cell whose growth is stimulated by  $\beta$ -catenin-mediated gene transcription, comprising contacting the cell with a non-endogenous source of RXR nuclear receptor protein and an RXR protein agonist; and page 8, lines 23-27, describes a method of identifying RXR agonists, thereby providing support for new Claim 14.

No new matter has been added. Entry is requested.

**Restriction Requirement**

Responsive to the Restriction Requirement, Applicants elect, with traverse, the claims of Group I (Claims 1-12), drawn to a method of inhibiting the proliferation of a eukaryotic cell whose growth is stimulated by  $\beta$ -catenin-mediated gene transcription, comprising contacting said cells with a) a non-endogenous source of RXR nuclear receptor protein, and b) a therapeutically effective amount of an agonist of said RXR protein.

New Claim 14 is directed to a method of inhibiting the proliferation of a eukaryotic cell whose growth is stimulated by  $\beta$ -catenin-mediated gene transcription, comprising contacting said cell with a) a non-endogenous source of RXR nuclear receptor protein, and b) a therapeutically effective amount of an agonist of said RXR protein, wherein the agonist is identified by a method comprising administering a test compound to a cell which expresses said RXR nuclear receptor protein and  $\beta$ -catenin, and determining whether  $\beta$ -catenin is degraded in response to the addition of said test compound, wherein the degradation of said  $\beta$ -catenin indicates that said test compound is an RXR agonist. The subject matter of new Claim 14 is similar to the claimed subject matter of the invention of elected Group I. Thus, new Claim 14 is encompassed by the invention of elected Group I.

Applicants traverse the Restriction Requirement for the reasons set forth below.

The invention of Group I (Claims 1-12) is directed to a method of inhibiting a eukaryotic cell whose growth is stimulated by  $\beta$ -catenin-mediated gene transcription, comprising contacting said cell with a non-endogenous source of RXR nuclear receptor protein, and a therapeutically

effective amount of an agonist of said RXR protein, which includes the use of an RXR agonist identified by a method comprising administering a test compound to a cell which expresses said RXR nuclear receptor protein and  $\beta$ -catenin, and determining whether  $\beta$ -catenin is degraded in response to the addition of said test compound, wherein the degradation of said  $\beta$ -catenin indicates that said test compound is an RXR agonist (new Claim 14). The invention of Group II (Claim 13) is directed to a method for determining whether a test compound is an RXR agonist comprising administering said test compound to a cell which expresses RXR and  $\beta$ -catenin, and determining whether  $\beta$ -catenin is degraded in response to the addition of said test compound, wherein degradation of said  $\beta$ -catenin indicates that said test compound is an RXR agonist. The methods of Groups I and II are related and are connected by design, operation and effect, for example, an effect on  $\beta$ -catenin, an RXR receptor protein and an RXR agonist. Further, new Claim 14, which is encompassed by the invention of Group I, links the inventions of Group I and Group II.

In addition, Applicants respectfully submit that search and examination of inventions of Group I (Claims 1-12 and new Claim 14) and Group II (Claim 13) would not place an undue burden on the Examiner. For example, a search of the prior art for the method of Group I would identify prior art related to the method of Group II. Thus, no excessive searching burden would be placed on the Examiner in examining methods of Groups I and II together.

For the foregoing reason, withdrawal of the Restriction Requirement between Groups I and II is respectively requested. If the ground of traversal does not result in withdrawal of the Restriction Requirement, Applicants reserve the right to file a divisional application or take other appropriate action as deemed necessary to protect the invention of Group II (Claims 13). Applicants do not hereby abandon or waive any rights in the inventions of the non-elected claims.

If the Examiner would like to discuss this Reply, the Examiner is invited to call  
Applicants' underlying Attorney.

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